UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ATEN INTERNATIONAL CO., LTD., and ATEN TECHNOLOGY, INC.	)	
Plaintiffs,	)	**Case No. 2:08-cv-00253-DF-CE**
v.	)	**JURY TRIAL DEMANDED**
EMINE TECHNOLOGY CO., LTD., BELKIN INTERNATIONAL, INC., and BELKIN, INC.	)	
Defendants.	)	

PLAINTIFFS ATEN INTERNATIONAL CO., LTD. AND ATEN TECHNOLOGY, INC.'S ANSWER TO DEFENDANTS BELKIN INTERNATIONAL, INC. AND BELKIN INC.'S COUNTERCLAIMS

COUNTERCLAIMS

Plaintiffs ATEN International Co., Ltd. and ATEN Technology, Inc. (collectively, "ATEN") hereby submit this answer to the counterclaims asserted in Defendants Belkin International, Inc. and Belkin, Inc.'s (collectively, "Belkin") Answer to ATEN's First Amended Complaint and Counterclaims filed and served on October 27, 2008 ("Counterclaims"). ATEN responds to the Counterclaims, Paragraphs 45 – 52, as follows:

JURISDICTION AND VENUE

45. ATEN admits that Belkin has asserted counterclaims pursuant to 28 U.S.C. §§ 2201 and 2202 seeking declaratory relief. The contents of the alleged counterclaims speak for themselves.

46. ATEN admits that venue is proper in this district.

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FIRST COUNTERCLAIM
(For Declaratory Judgment of Patent Non-Infringement)

47. ATEN incorporates by reference its responses to Paragraphs 45 and 46 of the Counterclaims.

48. ATEN admits that an actual controversy exits between Belkin and ATEN to whether Belkin infringes, contributes to the infringement of, or induces the infringement of United States Patent Nos. 7,035,112 (the "'112 patent") and 6,564,275 (the "'275 patent'"). ATEN admits that ATEN contends that Belkin does so infringe and that that Belkin contends that it does not so infringe.

49. ATEN admits that Belkin seeks a judicial declaration of non-infringement of the '112 and '275 patents. ATEN denies the remainder of the allegations contained in Paragraph 49 of the Counterclaims.

SECOND COUNTERCLAIM
(For Declaratory Judgment of Patent Invalidity/Unenforceability)

50. ATEN incorporates by reference its responses to Paragraphs 45 through 49 of the Counterclaims.

51. ATEN admits that an actual controversy exists between ATEN and Belkin as to whether the '112 and '275 patents are valid. ATEN admits that ATEN contends that the '112 and '275 patents are valid and that Belkin contends that the '112 and '275 patents are invalid.

52. ATEN admits that Belkin seeks a judicial declaration that the '112 and '275 patents are invalid and/or are unenforceable. ATEN denies the remainder of the allegations contained in Paragraph 52 of the Counterclaims.

WHEREFORE, Plaintiffs and counter-defendants ATEN request that this Court enter judgment in its favor and against Belkin as follows:

(a) That Belkin takes nothing by way of these Counterclaims.

(b) That ATEN be granted the relief requested by ATEN in its First Amended Complaint.

(c) That the Court grant such other relief as the Court deems proper.

Dated: November 17, 2008

Respectfully submitted,

/s/ Kyle D. Chen

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ATTORNEYS FOR
ATEN INTERNATIONAL CO., LTD. and
ATEN TECHNOLOGY, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document (PLAINTIFFS ATEN INTERNATIONAL CO., LTD. AND ATEN TECHNOLOGY, INC.'S ANSWER TO DEFENDANTS BELKIN INTERNATIONAL, INC. AND BELKIN INC.'S COUNTERCLAIMS) was served on the counsel of record via electronic mail by the Court's CM/ECF system on November 17, 2008.

/s/ Kyle D. Chen
Kyle D. Chen